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Tammie B. McFarland

Date of Signature

## A circular black and white stamp. The text "OIPE" is at the top, "JCI-38" is at the top right. The date "APR 20 2005" is in the center. The text "PATENT &amp; TRADEMARK OFFICE" is at the bottom.

Art Unit: 2874

Examiner: Unknown

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☐ Under 1.97(c) after the events recited above, but, to the best of Applicants' knowledge before the mailing date of any of a final action under § 1.113, a Notice of Allowance under

§ 1.311, or an action that otherwise closes prosecution in the application, and this submission is accompanied by:

- ☐ the statement specified in § 1.97(e); OR
- ☐ the fee set forth in § 1.17(p).
- ☐ Pursuant to 1.97(d) after the events recited above, but, to the best of Applicants'

knowledge before payment of the issue fee, and this submission is accompanied by:

- ☐ the statement specified in § 1.97(e); AND
- ☐ the fee set forth in § 1.17(p).

STATEMENT SPECIFIED IN § 1.97(e)

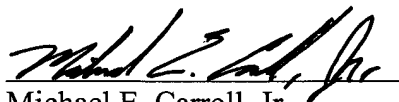
Pursuant to 1.97(e), Applicants hereby state and affirm that:

- ☐ each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this information disclosure statement; OR
- ☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in § 1.56(c) more than three (3) months prior to the filing of this information disclosure statement.

Pursuant to the waiver of the requirement under 37 CFR 1.98(a)(2)(i), no copies of U.S. patents and/or U.S. patent application publications are included herewith because the above-identified application was filed after June 30, 2003.

Applicants respectfully request that the Examiner consider the listed document(s) and indicate that they were considered by making appropriate notations on the attached form. This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed document(s) are material or constitute "prior art." If the Examiner applies any of the document(s) as prior art against any claims in the application and Applicants determine that the cited document(s) do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document(s). Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document(s), should one or more of the document(s) be applied against the claims of the present application. If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 19-2167.

Respectfully submitted,



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Date: 4/18/05

<b>FORM PTO-1449 U.S. Department of Commerce Patent and Trademark Office</b>				<b>Attorney Docket Number:</b>  HE0218		<b>Serial Number:</b>  10/765,428	
<b>LIST OF RELATED DOCUMENTS CITED BY APPLICANT</b> (Use separate sheets if necessary)				<b>Applicant:</b> Melton et al.			
				<b>Filing Date:</b> January 27, 2004		<b>Group:</b> 2874	
<b>U. S. PATENT DOCUMENTS</b>							
Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate	
AA	6,466,725	10/15/02	Battey et al.	385	135	11/29/00	
AB	6,619,697	9/16/03	Griffioen et al.	285	126.1	12/27/00	
AC							
AD							
AE							
AF							
AG							
AH							
AI							
AJ							
AK							
<b>FOREIGN PATENT DOCUMENTS</b>							
	Document Number	Date	Country	Class	Subclass	Translation Yes   No	
AL	62-054204	3/9/87	Japan	G02B	6/24	Yes	
AM	3537684	4/23/87	Germany	G02B	6/24	Yes	
AN	2001116968	4/27/01	Japan	G02B	6/44	Yes	
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
AO							
AP							
AQ							
<b>EXAMINER</b>						<b>DATE CONSIDERED</b>	

\*EXAMINER Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.